

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA for
the use and benefit of National
Development and Construction Corp.,

Plaintiff,

-against-

UNITED STATES ENVIRONMENTAL
UNIVERSAL SERVICES, INC.,
PALONIA DEVELOPMENT &
PRESERVATION SERVICES CO.,
LLC, and FIRST SEALORD SURETY,
INC.,

ORDER ADOPTING REPORT
AND RECOMMENDATION

11-CV-730 (CS)

Defendants.

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Seibel, J.

Before the Court is the Report and Recommendation of Magistrate Judge Paul E. Davison dated July 15, 2014 (the “R&R”). (Doc. 71.) No objections have been received. I have reviewed the R&R for clear error and find none. Accordingly, the R&R is hereby adopted as the decision of the Court.

The Clerk of Court is respectfully directed to enter judgment against Defendant Palonia Development & Preservation Services Co. LLC (“Palonia”), and in favor of Plaintiff National Development & Construction Corp., (“NDC”), on NDC’s breach of contract claim against Palonia, in the principal amount of \$120,000.00, plus prejudgment interest in the amount of \$48,704.74, plus additional prejudgment interest at the rate of \$29.59 per day from July 15, 2014 until the date judgment is entered. All other claims having been disposed of (save those against First Sealord Surety, Inc., which was liquidated by the Commonwealth of Pennsylvania in or about March 2012), the Clerk of Court is also respectfully directed to close the case.

Dated: September 2, 2014
White Plains, New York


CATHY SEIBEL, U.S.D.J.